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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

JUN 28 2005

Appl. No. : 09/917,088 Confirmation No.: 9147  
 Applicants : Richard H. Boivie et al.  
 Filed : July 27, 2001  
 Art Unit : 2152  
 Examiner : Trong Nhan P. Nguyen  
 Docket No. : YOR920010160US1  
 Customer No. : 23334

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class envelope addressed to:  
 Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

On 6/28/2005  
 Date  
JOSE GUTMAN Jose Gutman  
 Name Signature

**PRELIMINARY AMENDMENT UNDER 37 C.F.R. § 1.115**

**VIA FACSIMILE (703) 872-9306**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**ATTENTION: Patent Examiner Trong Nhan P. Nguyen, Tel. (571) 272-3945**

**SIR:**

Applicants are filing this preliminary amendment contemporaneous with filing a Request for Continued Examination in response to the Advisory Action dated June 17, 2005. An RCE Transmittal is attached to this amendment. Please enter the following amendment and consider the following remarks prior to examination of the above-identified application filed in accordance with 35 U.S.C. § 111.

**A Listing of the Claims begins on page 2 of this paper.**

**Remarks begin on page 12 of this paper.**

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Amdt. dated 6/28/2005  
Reply to the Advisory Action of 06/17/2005

Applicants acknowledge the continuing duty of candor and good faith to disclose information known to be material to the examination of this application. In accordance with 37 CFR § 1.56, all such information is dutifully made of record. The foreseeable equivalents of any territory surrendered by amendment are limited to the territory taught by the information of record. No other territory afforded by the doctrine of equivalents is knowingly surrendered and everything else is unforeseeable at the time of this amendment by the Applicants and the attorneys.

The present application, after entry of this amendment, comprises thirty-nine (39) claims, including four (4) independent claims. Applicants have previously paid for thirty-seven (37) claims including four (4) independent claims. Applicants, therefore, believe that a fee for 2 additional dependent claims of \$100 is currently due.

If the Examiner believes that there are any informalities that can be corrected by Examiner's amendment, or that in any way it would help expedite the prosecution of the patent application, a telephone call to the undersigned at (561) 989-9811 is respectfully solicited.

The Commissioner is hereby authorized to charge any fees that may be required or credit any overpayment to Deposit Account 50-0510.

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In view of the preceding discussion, it is submitted that the claims are in condition for allowance or at least in better form for appeal. Reconsideration and re-examination, and allowance of the claims, is requested.

Respectfully submitted,

Date: June 28, 2005

By:



Jose Gutman  
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